

GROUND WATER QUALITY PROTECTION

The land use approach is closely linked to the concept of ground water classification; that is, different aquifers or portions of aquifers require different levels of protection. Land use controls are typically applied on a local level and frequently involve more detailed mapping and zoning of larger areas or aquifers than state classification systems employ. Moreover, land use controls may take additional factors into consideration, such as economic impacts of protection measures and consistency with existing zoning and current development patterns. State classification and mapping programs may provide the overall framework for land use controls, but the final designation of critical areas for local land use regulation may differ from the state-level efforts.

Land use control programs are generally most effective at protecting shallow unconfined aquifers. Many of these measures such as wellfield restrictive zones would have little or no application to protecting deep confined aquifers. However, one land use control that can be effective for confined aquifers is the establishment of protective zones on surficial recharge areas such as has been done on Long Island.

Land use controls are implemented through the application of various forms of local and regional authority to protect the public health, safety, and welfare. These include regulations and ordinances adopted by the local health agency, zoning by-laws, and municipal ordinances enacted under general home rule authority. In highly critical areas, preservation of hydrologic conditions in their natural state is required. Open land preservation can be accomplished through public and private purchase, eminent domain, tax lien takings, and conservation easements.

Successful land use management in critical areas requires ongoing planning activity. Site plan reviews during major land developments and property conversions can accomplish many of the objectives of ground water quality protection. Sanitary and industrial surveys and mapping of aquifers, water supplies, and contamination sources are important tools in establishing appropriate land use controls. As new information becomes available, boundaries of critical areas can be revised. Monitoring data should be used to identify problems and assess the effectiveness of controls.

In many states, local authority has been more effective in controlling ground water pollution problems than state authority. For example, county and municipal ordinances controlling underground storage of gasoline were in place in Cape Cod, Massachusetts, Long Island, New York, Duval County, Florida, and Santa Clara County, California, one to five years before state or federal laws were enacted.

Local land use controls to protect ground water quality have been implemented in numerous communities in Massachusetts, New Jersey, Connecticut